



The Environmental and Social Norms of the Islamic Development Bank

Environmental and Social Norm 5 (ESN5): Land Acquisition, Restrictions on Access to Land and Land Use, and Involuntary Resettlement



Acronyms and Abbreviations

AESR	Annual Environmental and Social Report
ACHPR	African Commission on Human and Peoples Rights
AMR	Anti-microbial Resistance
BC	Black Carbon
BMP	Biodiversity Management Plan
CBD	Convention on Biological Diversity
CBO	Community Based Organization
CDD	Community-Driven Development
CHMP	Cultural Heritage Management Plan
CO ₂	Carbon Dioxide
CITES	Convention on the International Trade in Endangered Species
CSO	Civil Society Organization
DLI	Disbursement Linked Indicator
DUC	Dam Under Construction
EHSGs	World Bank Group Environmental, Health and Safety Guidelines
ESDD	Environmental and Social Due Diligence
ESIA	Environmental and Social Impact Assessment
EITI	Extractive Industries Transparency Initiative
EPRP	Emergency Preparedness and Response Plan
ES	Environmental and Social
ESA	Environmental and Social Assessment
ESP	Environmental and Social Plan
ESMP	Environmental and Social Management Plan
ESMS	Environmental and Social Management System
ESNs	Environmental and Social Norms
FAO	Food and Agriculture Organization (of the UN)
FI	Financial Intermediary
FPIC	Free, Prior and Informed Consent
GBV	Gender-Based Violence
GCF	Green Climate Fund
GHG	Greenhouse Gas
GM	Grievance Mechanism
GMO	Genetically Modified Organism
GIIP	Good International Industry Practice
HIA	Health Impact Assessment
HSMP	Health and Safety Management Plan
HVRMs	Highly Vulnerable Rural Minorities
IDEV	Independent Development Evaluation Department
IFC	International Finance Corporation
IFI	International Financial Institution
ILO	International Labour Organization
IPP	Indigenous Peoples Plan
IPM	Integrated Pest Management
IRM	Independent Recourse Mechanism
ISS	Integrated Safeguards System
IUCN	International Union for the Conservation of Nature
IVM	Integrated Vector Management
LIMP	Labour Influx Management Plan
LMPs	Labour Management Procedures
MFI	Multilateral Financial Institution
NGO	Nongovernmental Organization
NSO	Non-Sovereign Operation
O&M	Operation and Maintenance
OHS	Occupational Health and Safety
OP	Operational Policy

OS	Environmental and Social Operational Safeguard
POPs	Persistent Organic Pollutants
PMP	Pest Management Plan
PPP	Public-Private Partnership
RAP	Resettlement Action Plan
RBF	Results-Based Financing
RCIP	Riparian Communities Involvement Plan
RHA	Risk Hazard Assessment
RMC	Regional Member Country
SDGs	Sustainable Development Goals
SEAH	Sexual Exploitation and Harassment
SEP	Stakeholder Engagement Plan
SESA	Strategic Environmental and Social Assessment
SO	Sovereign Operation
SPV	Special Purpose Vehicle
TA	Technical Assistance
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples

Introduction

1. ESN5 recognizes that project-related land acquisition, and restrictions on land access or land use, and loss of property/assets can have adverse impacts on communities and persons. Project-related land acquisition¹ or restrictions on land use² may cause physical displacement (relocation, loss of residential land or loss of shelter), economic displacement (loss of land, assets or access to assets, leading to loss of income sources or other means of livelihood)³, or both. The term “involuntary resettlement” refers to both impacts and the processes to mitigate and compensate for them. Resettlement is considered involuntary when affected persons or communities do not have the right or genuine opportunity, free from coercion or intimidation, to refuse land acquisition or restrictions on land access or use that result in loss of assets or displacement.

2. Physical and economic displacement, if unmitigated, may give rise to severe economic, social and environmental risks: production systems may be dismantled; people face impoverishment if their productive resources or other income sources are lost; restrictions on land use or enhancement of their protection⁴; people may be relocated to environments where their productive skills are less applicable and the competition for resources greater; community institutions and social networks may be weakened; gender and other social inequalities may be exacerbated; kin groups may be dispersed; and cultural identity, traditional authority, and the potential for mutual help may be diminished or lost. For these reasons, involuntary resettlement should be avoided⁵. Where involuntary resettlement is

¹ “Land acquisition” refers to all methods of obtaining land for project purposes, which may include outright purchase, expropriation of property and acquisition of access rights, such as easements or rights of way. Land acquisition may also include:

(a) acquisition of unoccupied or unutilized land whether or not the landholder relies upon such land for income or livelihood purposes; (b) repossession of public land that is used or occupied by individuals or households; and (c) project impacts that result in land being submerged or otherwise rendered unusable or inaccessible. “Land” includes not only the area but also anything growing on or permanently affixed to land, such as crops, buildings and other improvements, and appurtenant water bodies.

² Restrictions on land use” refers to limitations or prohibitions on the use of agricultural, residential, commercial or other land that are directly introduced and put into effect as part of the project. These may include restrictions on access to legally designated parks and protected areas, restrictions on access to other common property resources, restrictions on land use within utility easements or safety zones.

³ “Livelihood” refers to the full range of means that individuals, families and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade and bartering.

⁴ Avoidance is the preferred approach in accordance with the mitigation hierarchy in ESN1. It is especially important to avoid physical or economic displacement of those socially or economically vulnerable to hardship as a result. However, avoidance may not be the preferred approach in situations where public health or safety would be adversely affected as a result. There may also be situations where resettlement can provide direct development opportunities for households or communities, including improved housing and public health conditions, strengthened security of tenure or other improvements to local living standards.

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unavoidable, it will be minimized and appropriate measures to mitigate adverse impacts on displaced persons (and on host communities receiving displaced persons) will be carefully planned and implemented. No physical investment supported by the Bank can be carried out if the required land is not free from any encumbrances, occupation, or conflict, and/or has been the subject of negotiated adequate prior compensation and finally secured for the benefit of the project concerned.

Objectives

3. The objectives of ESN5 are as follows:

- Avoid involuntary resettlement where feasible or minimize resettlement impacts where involuntary resettlement is deemed unavoidable after all alternative project designs have been explored.
- To ensure resettlement plans and activities are informed by social assessments (including gender issues).
- To avoid forced eviction⁶.
- To mitigate unavoidable adverse social and economic impacts from land acquisition or restrictions on land use by: (a) providing timely compensation for loss of assets at full replacement cost⁷ and (b) providing sufficient resettlement assistance under the project to support displaced persons in their efforts to improve, or at least restore, their livelihoods and living standards, in real terms, to pre-displacement levels or to levels prevailing prior to the beginning of project implementation, whichever is higher.
- To improve living conditions of poor or vulnerable persons who are physically displaced by the project, through provision of adequate housing, access to services and facilities, security of tenure⁸ and safety.

⁶ See paragraph 40.

⁷ Full Replacement cost" (often called 'Replacement Cost') is defined as a method of valuation yielding compensation sufficient to replace assets, plus necessary transaction costs associated with asset replacement, such as administrative charges, taxes, legal, land survey and title registration fees, transition. Where functioning markets exist, replacement cost is the market value as established through independent and competent real estate valuation, plus transaction costs. Where functioning markets do not exist, full replacement cost may be determined through alternative means, such as calculation of output value for land or productive assets, or the un-depreciated value of replacement material and labour for construction of structures or other fixed assets, plus transaction costs. In all instances where physical displacement results in loss of shelter, full replacement cost must at least be sufficient to enable purchase or construction of housing that meets acceptable minimum community standards of quality and safety. The valuation method for determining full replacement cost should be documented and included in relevant resettlement planning documents. Transaction costs include administrative charges, registration or title fees, reasonable moving expenses, and any similar costs imposed on affected persons. Depreciation of assets and structures should not be taken into account. To ensure compensation at full replacement cost, planned compensation rates may require updating in project areas where inflation is high or the period between calculation of compensation rates and delivery of compensation is extensive.

⁸ "Security of tenure" means that resettled individuals or communities are resettled to a site over which they have legally recognized documentation, with such documentation granting the project-affected people protection against involuntary loss of the land and resources and, at a minimum, granting the right to bequeath their land and resources, where they are protected

- To establish a mechanism for monitoring the performance and effectiveness of involuntary resettlement activities which result from project activities, and for remedying problems as they arise.
- To conceive and execute resettlement activities as sustainable development programs, providing sufficient investment resources to enable displaced persons to benefit directly from the project, as the nature of the project may warrant.
- To ensure that resettlement activities are planned and implemented with appropriate disclosure of information, meaningful consultation, and the informed participation of those affected.

Scope of Application

4. This ESN applies to all IsDB supported operations, both public and private sector, and to projects funded through all financial instruments managed by the Bank. The applicability of ESN5 is established during the environmental and social assessment described in ESN1.

5. This ESN applies to permanent or temporary physical and economic displacement resulting from the following types of land acquisition or restrictions on land access or use undertaken or imposed in connection with project implementation:

- Acquisition or restriction of land rights, including land use rights through expropriation or other compulsory procedures in accordance with national law.
- Acquisition or restriction of land rights including land use rights through negotiated settlements with property owners or those with legal rights to the land, if failure to reach settlement would have resulted in expropriation or other compulsory procedures⁹.
- Restrictions on land use and access to natural resources that cause a community or groups within a community to lose access to resource usage where they have traditional or customary tenure, or recognizable usage rights. This may include situations where legally designated protected areas, forests, biodiversity areas/offsets or buffer zones are established in connection with the project¹⁰.

from the risk of eviction and where the tenure rights provided to them are socially and culturally appropriate. In no event will resettled persons be provided tenure rights that are in effect weaker than the rights they had to the land or assets from which they have been displaced.

⁹ Notwithstanding the application of this ESN to such situations, the Borrower Client is encouraged to seek negotiated settlements with affected persons in a manner meeting the requirements of this ESN in order to help avoid administrative or judicial delays associated with formal expropriation, and to the extent possible to reduce the impacts on affected persons associated with formal expropriation.

¹⁰ In such situations, affected persons frequently do not have formal ownership. This may include freshwater and marine environments. This ESN does not apply to restrictions of access to natural resources under community-based natural resource management projects, i.e. where the community using the resources collectively decides to restrict access to these resources, provided that an assessment satisfactory to the Bank establishes that the community decision-making process is adequate and

- Relocation of people without formal, traditional, or recognizable usage rights, who are sheltering on, occupying or utilizing land prior to a project-specific cut-off date¹¹.
- Displacement of people because of project impacts that render their land unusable or inaccessible.
- Restriction on access to land or use of other resources including communal property and natural resources such as marine and aquatic resources, timber and non-timber forest products, fresh water, medicinal plants, leisure and education areas, sacred and worship areas, hunting and gathering grounds and grazing and cropping areas.
- Land rights or claims to land or resources relinquished by individuals or communities without full payment of compensation¹²; and
- Land acquisition or land use restrictions occurring prior to the project, but which were undertaken or initiated in anticipation of, or in preparation for, the project.

6. This ESN does not apply to impacts on incomes or livelihoods that are not a direct result of land acquisition or land use restrictions imposed by the project. Such impacts will be addressed in accordance with ESN1.

7. This ESN does not apply to voluntary, legally recorded market transactions in which the seller is given a genuine opportunity, free from coercion and intimidation, to retain the land and to refuse to sell it and is fully informed about available choices and their implications. However, where such voluntary land transactions may result in the displacement of persons, other than the seller, who occupy, use or claim rights to the land in question, this ESN will apply¹³.

8. When a project requires the temporary relocation of people, the resettlement activities should be consistent with this ESN, while taking into account the temporary nature of the displacement. The objectives are to minimize disruption to the affected people, avoid irreversible negative impacts, ensure

reflects voluntary, informed consensus, and that appropriate measures have been agreed and put in place to mitigate adverse impacts, if any, on the vulnerable members of the community.

¹¹ The cut -off date will be determined on a project-by-project basis.

¹² In some circumstances, it may be proposed that part or all of the land to be used by the project is donated on a voluntary basis without payment of full compensation. Subject to prior Bank approval, this may be acceptable provided the Client demonstrates that: (a) the potential donor or donors have been appropriately informed and consulted about the project and the choices available to them; (b) potential donors are aware that refusal is an option, and have confirmed in writing their willingness to proceed with the donation; (c) the amount of land being donated is minor and will not reduce the donor's remaining land area below that required to maintain the donor's livelihood at current levels; (d) no household relocation is involved; (e) the donor is expected to benefit directly from the project; and (f) for community or collective land, donation can only occur with the consent of individuals using or occupying the land. The Client will maintain a transparent record of all consultations and agreements reached

¹³ This may include situations where a project supports voluntary transactions between communities, governments and investors involving significant areas of land (for example where a project involves support to commercial investment in agricultural land). In such cases, in applying the relevant provisions of this ESN, special care must be taken to ensure: (a) that all tenure rights and claims (including those of customary and informal users) affecting the land in question are systematically and impartially identified; (b) that potentially affected individuals, groups or communities are meaningfully consulted, informed of their rights, and provided reliable information concerning environmental, economic, social and food security impacts of the proposed investment; (c) that community stakeholders are enabled to negotiate fair value and appropriate conditions for the transfer; (d) that appropriate compensation, benefit-sharing and grievance mechanisms are put in place; (e) that terms and conditions of the transfer are transparent, and (f) mechanisms are put in place for monitoring compliance with those terms and conditions.

gender equitable resolutions, provide satisfactory temporary services and, where appropriate, compensate for transitional hardships.

9. Where a project supports land titling or other activities intended to confirm, regularize or determine land rights, a social, legal and institutional assessment will be required under ESN1. The assessment aims to identify potential risks and impacts, as well as appropriate design measures to minimize and mitigate adverse economic and social impacts, especially those that affect vulnerable groups¹⁴.

10. This ESN does not apply to disputes between private parties in land titling or related contexts. However, where persons are required to vacate land as a direct result of a project-supported determination that the land in question is state land, this ESN will apply (in addition to the relevant provisions of ESN1 mentioned above).

11. This ESN does not apply to land use planning or the regulation of natural resources to promote their sustainability on a regional, national or subnational level (including watershed management, groundwater management, fisheries management, and coastal zone management). Where a project supports such activities, the Client will be required to conduct a social, legal and institutional assessment under ESN1, to identify potential economic and social risks and impacts of the planning or regulation, and appropriate measures to minimize and mitigate them, in particular those that affect vulnerable groups.

12. This ESN does not apply to management of refugees from, or persons internally displaced by, natural disasters, epidemics, pandemics, conflict, crime or violence.

Requirements

A. General Requirements

Eligibility Classification

13. Affected persons may be classified as persons:

- Those who have formal legal rights to land or other assets recognized under the laws of the country concerned. This category generally includes people who are physically residing at the project site and those who will be displaced or may lose access or suffer a loss in their livelihood because of project activities.

¹⁴ See ESN 1, footnote 23

- Those who do not have formal legal rights to land or other assets at the time of the census/evaluation but can prove that they have a claim that would be recognized under the customary or national law in the country. This category may include people who may not be physically residing at the project site or persons who may not have any assets or direct sources of livelihood derived from the project site, but who have spiritual and/or ancestral ties with the land and are locally recognized by communities as customary inheritors. Depending on the country's customary land use rights, they may also be considered to have a claim if they are sharecroppers, tenant farmers, and seasonal migrants or nomadic families losing user rights.
- Those who have no recognizable legal right or claim to the land they are occupying in the project area of influence and who do not fall into either of the two categories described above. If they themselves or witnesses can demonstrate that they were in occupancy within the project area of influence for at least six months prior to a cut-off date established by the Client, they may be entitled to resettlement assistance other than compensation for land to improve their former living standards (compensation for loss of livelihood activities, common property resources¹⁵, structures and crops, etc.).

14. The census described in paragraph 29 will establish the status of the affected persons.

Project Design

15. The Client will demonstrate that involuntary land acquisition or restrictions on land use are limited to direct project requirements for clearly specified project purposes within a clearly specified period. The Client will consider feasible alternative project designs to avoid or minimize land acquisition or restrictions on land use, especially where this would result in physical or economic displacement, while balancing environmental, social, and financial costs and benefits, and paying particular attention to gender impacts¹⁶ and impacts on the vulnerable. When the resettlement implications of a project would appear to be particularly severe, the Client will consider either downsizing the project to reduce resettlement or finding other alternatives that can reasonably replace the project. The Bank may decline to support a project if it considers the resettlement risks and impacts to be unacceptable¹⁷.

Compensation and Benefits for Affected Persons

16. When land acquisition or restrictions on land access and use (whether permanent or temporary) cannot be avoided, the Client will offer affected persons compensation at full replacement cost, and

¹⁵ Common property resources are those that have value in their entirety, are used communally, and are owned either by the government or by more than one individual on a shared or communal basis.

¹⁶ Including access to female health care providers and to such services as reproductive health care and appropriate counselling for sexual and other abuses. The provision of health care services, particularly for pregnant women and infants, may be important during and after relocation, to prevent increases in morbidity and mortality due to malnutrition, the psychological stress of being uprooted, and the increased risk of disease..

¹⁷ This includes situations where historic resettlement, carried out in anticipation of a project, is considered unacceptable to the Bank, and for which no remedial measures are possible or can be agreed to the satisfaction of the Bank. The Bank will determine how far back in time such legacy issues can be considered.

other assistance as may be necessary to help them improve or at least restore their standards of living or livelihoods, subject to the provisions of paragraph 35 through 44 of this ESN¹⁸.

17. Compensation standards for categories of land and fixed assets will be disclosed and applied consistently. Where negotiated settlements take place, the client will ensure that the risks of asymmetry of information and bargaining power of the parties involved are mitigated. External social experts may be required for this purpose. Compensation rates may be subject to upward adjustment where negotiation strategies are employed. In all cases, a clear basis for calculation of compensation will be documented, and compensation distributed in accordance with transparent procedures.

18. Where livelihoods of displaced persons are land-based¹⁹, or where land is collectively owned, the Client will offer the displaced persons an option for replacement land in accordance with paragraph 43(a), unless it can be demonstrated to the Bank's satisfaction that equivalent replacement land is unavailable. As the nature and objectives of the project may allow, the Client will also provide opportunities to displaced communities and persons to derive appropriate development benefits from the project. In the case of affected persons under paragraph 13 (c), resettlement assistance will be provided in lieu of compensation for land, as described in paragraphs 38 and 43 (c).

19. Affected people are to be compensated for all their losses at full replacement cost before their actual move; before land and related assets are taken; and, if the project is implemented in phases, before project activities begin for each particular phase. The Client will give preference to land-based resettlement strategies and as a matter of priority offer land-to-land compensation and/or compensation-in-kind in lieu of cash compensation where feasible. If there are significant time delays that render previously agreed replacement costs and compensation materially below current replacement costs and compensation, then appropriate adjustments may be required.

20. The Client will take possession of acquired land and related assets only after compensation in accordance with this ESN has been made available and, where applicable, displaced people have been resettled and resettlement assistance and/or moving allowances have been provided to the displaced persons in addition to compensation. In addition, livelihood restoration²⁰ and improvement programs will commence in a timely fashion to ensure that affected persons are sufficiently prepared to take advantage of alternative livelihood opportunities as the need to do so arises.

21. In certain cases there may be significant difficulties related to (i) the payment of compensation to particular affected persons (e.g. where repeated efforts to contact absentee owners have failed, where project affected persons have rejected compensation that has been offered to them in accordance with the approved plan, or where competing claims to the ownership of lands or assets

¹⁸ At the request of affected persons, it may be necessary to acquire entire land parcels if partial acquisition would render the remainder economically unviable or make the remaining parcel unsafe or inaccessible for human use or occupancy.

¹⁹ The term "land-based" includes livelihood activities such as rotational cropping and grazing of livestock as well as the harvesting of natural resources.

²⁰ Livelihood restoration plan (LRP) is normally part of the resettlement action plan (RAP). However, for complex livelihood restoration, a standalone LRP can be prepared as part of the ESMP.

are subject to lengthy legal proceedings), (ii) the implementation of additional measures envisaged in the resettlement plan, and/or (iii) actual resettlement of all displaced people. On a case-by-case basis, with prior agreement of the Bank, and where the Client demonstrates that all reasonable efforts to resolve such matters have been taken, the Client may deposit compensation funds, as required by the plan (plus a reasonable additional amount for contingencies), into an interest-bearing escrow or other deposit account and proceed with the relevant project activities. Compensation placed in escrow will be made available to eligible persons in a timely manner as issues are resolved.

Community Engagement

22. The Client will engage with affected communities, including host communities and vulnerable groups, through the process of stakeholder engagement described in ESN10. Decision-making processes related to resettlement and livelihood restoration will include technically, economically, and socially feasible resettlement options and alternatives from which affected persons may choose. Disclosure of relevant information to and meaningful participation of affected communities and persons will take place during the consideration of alternative project designs, and their associated resettlement and compensation implications, and thereafter throughout the planning, implementation, monitoring, and evaluation of the compensation process, livelihood restoration activities, and relocation process. Additional provisions apply to consultations with displaced highly vulnerable rural minorities, in accordance with ESN7.

23. The consultation process should ensure that women's perspectives are obtained in an equitable manner, and their interests factored into all aspects of resettlement planning and implementation. Addressing livelihood impacts may require intra-household analysis in cases where women's and men's livelihoods are affected differently. Women's and men's preferences in terms of compensation mechanisms, such as replacement land or alternative access to natural resources rather than in cash, should be explored.

24. Differentiated measures for vulnerable groups include the development of mechanisms for consultation that ensure that sufficient time is provided for the traditional decision-making processes and for employing intermediaries such as specialist nongovernmental organizations that have expertise in working with vulnerable groups, in elucidating their concerns and needs, and in developing measure to address these concerns and needs.

Host Communities

25. The Client will carry out a detailed analysis of host communities²¹ to identify potential problems (if any) associated with receiving displaced people, and to address these problems so that adverse impacts on host communities are minimized and the host communities are able to share in the development opportunities provided through the project and the resettlement process. The assessment

²¹ In situations where people choose cash-based compensation or where displaced peoples disperse widely in the country, there may not be discrete host communities.

of host communities is to be based on transparent information and effective consultation and should result in a consensual agreement that must be conveyed to the Client by representative community leaders and recorded in public consultation proceedings.

26. Any payments due to the hosts for land or other assets provided to the affected population are promptly rendered in line with agreements reached with the host communities.

27. Conflicts between hosts and the affected population may develop as increased demands are placed on land, water, forests, services, and so on, or if those affected by the project are provided with services and housing superior to those of the hosts. The Client will carefully consider such impacts when assessing the feasibility and costs of any proposed project involving displacement, and adequate resources are reflected in the budget for mitigating these additional environmental and social impacts. The dispute- settlement procedures should be sufficiently agile to quickly resolve conflicts between hosts and the affected population.

Grievance Mechanism

28. The Client will ensure that a grievance mechanism²² for the project is in place, in accordance with ESNs 1 and 10 as early as possible in project development to address specific concerns about compensation, relocation or livelihood restoration measures raised by displaced persons (or others) in a timely fashion. Where possible, such grievance mechanisms will utilize existing formal or informal grievance mechanisms suitable for project purposes, supplemented as needed with project-specific arrangements designed to resolve disputes in an impartial manner. The outcomes of the grievance mechanism (including numbers of grievances received, resolved and outstanding) shall be reflected in monitoring reports.

Planning and Implementation

29. Where land acquisition or restrictions on land use are unavoidable, the Client will, as part of the environmental and social assessment, conduct a census to identify the persons who will be affected by the project, to establish an inventory of land and assets to be affected²³, to determine who will be eligible for compensation and assistance²⁴, and to identify and discourage ineligible persons, such as opportunistic settlers, from claiming benefits. The social assessment will also address the claims of communities or groups who, for valid reasons, may not be present in the project area during the time of the census, such as seasonal resource users. In conjunction with the census, the Client

²² Grievance Mechanisms are sometime referred to as Grievance Redress Mechanisms. They are essentially the same.

²³ See Annex 1. Such inventory should include a detailed account, derived through a consultative, impartial and transparent process, of the full range of rights held or asserted by affected people, including those based on custom or practice, secondary rights such as rights of access or use for livelihoods purposes, rights held in common, etc.

²⁴ Documentation of ownership or occupancy and compensation payments should be issued in the names of both spouses or single heads of households as relevant, and other resettlement assistance, such as skills training, access to credit, and job opportunities, should be equally available to women and adapted to their needs. Where national law and tenure systems do not recognize the rights of women to hold or contract in property, measures should be considered to provide women as much protection as possible with the objective to achieve equity with men.

will establish a cut-off date for eligibility²⁵. Information regarding the cut-off date will be well documented and will be disseminated throughout the project area, and at national level, at regular intervals in written and (as appropriate) non-written forms (e.g. media, radio, etc.) and in relevant local languages. This will include posted warnings that persons settling in the project area after the cutoff date will not be eligible for compensation and will be subject to removal.

30. To address the land acquisition, resettlement and compensation issues identified in the environmental and social assessment, the Client will prepare a plan²⁶ proportionate to the risks and impacts associated with the project:

- For projects with minor land acquisition or restrictions on land use, because of which there will be no significant impact on incomes or livelihoods, the plan will establish eligibility criteria for affected persons, set out procedures and standards for compensation, and incorporate arrangements for consultations, monitoring and addressing grievances;
- For projects causing physical displacement, the plan will set out the additional measures relevant to relocation of affected persons;
- For projects involving economic displacement with significant impacts on livelihoods or income generation, the plan will set out the additional measures relating to livelihood improvement or restoration; and
- For projects that may impose changes in land use that restrict access to resources in legally designated parks or protected areas or other common property resources on which local people may depend for livelihood purposes, the plan will establish a participatory process for determining appropriate restrictions on use and set out the mitigation and compensation measures to address adverse impacts on livelihoods that may result from such restrictions.

31. The Client's plan will establish the roles and responsibilities relating to financing and implementation and include arrangements for contingency financing to meet unanticipated costs, as well as arrangements for timely and coordinated response to unforeseen circumstances impeding progress toward desired outcomes²⁷. The full costs of resettlement activities necessary to achieve the objectives of the project are included in the total costs of the project²⁸. The costs of resettlement, like the costs of other project activities, are treated as a charge against the economic benefits of the project; and any net benefits to resettlers (as compared to the "without-project" circumstances) are added to

²⁵ The validity of the cut-off date should be time-limited, and if the completion of the resettlement process is delayed, the Client may, depending on project context, declare and disclose a new cut-off date.

²⁶ See Annex 1.

²⁷ For projects with significant resettlement impacts and complex mitigation measures, the Borrower / Client may consider preparing a stand-alone resettlement project for Bank support.

²⁸ The availability of the resettlement and compensation cost, part of the environmental and social management plan's (ESMP) costs included in the overall project cost, is evidenced either as : (i) included in the Bank financing (loan, grant, etc.); or (ii) a co-financing from another donor; or (iii) a counterpart funding, which is the less preferable option to consider, due to lessons learnt based on Borrower / Client systematic failures to mobilize liquidity in time, thereby resulting in project delays and cost overrun. In the event of this latter option (counterpart funding) to finance the resettlement cost, the availability of the total resettlement cost amount in a dedicated project account is set as condition for effectiveness or first disbursement in the financing agreement. Any operation inducing resettlement of people and that does not clarify at least one of the abovementioned three financial liquidity options, is not ready for implementation.

the benefits stream of the project. As an integral part of the ESMP cost, the resettlement costs are considered during the overall economic and financial analysis of the project.

32. The Client will establish procedures to monitor and evaluate the implementation of the plan and will take corrective action as necessary during implementation to achieve the objectives of this ESN. Monitoring and evaluating must be conducted in a timely manner and with appropriate frequency to provide the best opportunity to identify noncompliance while it can still be rectified. The extent of monitoring activities will be proportionate to the project's risks and impacts. For all projects with large-scale, complex and/or significant involuntary resettlement impacts, the Client will retain competent third-party resettlement professionals to monitor the implementation of resettlement plans, design corrective actions as necessary, provide advice on compliance with this ESN and produce periodic monitoring reports. Affected persons will be consulted during the monitoring process. Periodic monitoring reports will be prepared and affected persons will be informed about monitoring results in a timely manner.

33. Implementation of the Client's plan will be considered completed (i) when the adverse impacts of resettlement have been addressed in a manner that is consistent with the relevant plan, (ii) in compliance with the objectives of this ESN, and (iii) a completion audit report has been deemed satisfactory by the Bank.

34. For all projects with significant involuntary resettlement, the Client will commission an independent completion audit of the plan when all mitigation measures have been substantially completed. This should be carried out by qualified and experienced external social experts in order to validate the monitoring work carried out by the Client's social staff. The independent completion audit (i) will be undertaken by competent resettlement professionals, (ii) will assess whether livelihoods and living standards have been improved or at least restored and, (iii) as necessary, will propose corrective actions to meet objectives not yet achieved.

35. Where the likely nature or magnitude of the land acquisition or restrictions on land use related to a project with potential to cause physical and/or economic displacement is unknown during project preparation, the Client will include in the ESMP requirements compatible with this ESN. Once the individual project activities are defined and the necessary information becomes available, the specific plans proportionate to potential risks and impacts will be prepared and implemented. No physical and/or economic displacement will occur until plans required by this ESN have been approved by the Bank.

B. Displacement

Physical Displacement

36. In the case of physical displacement, the Client will develop a plan that covers, at a minimum, the applicable requirements of this ESN regardless of the number of people affected. In instances of

household-level land titling in resettlement processes, joint titling, if chosen as the preferred option by the affected household, should be employed to protect the land rights of women and other vulnerable groups. In instances of collective titling of community land, the rights of women and other vulnerable groups should be recognized. The plan will be designed to mitigate the negative impacts of displacement and, as warranted, to identify development opportunities. It will include a resettlement budget and implementation schedule and establish the entitlements of all categories of affected persons (including host communities). Particular attention will be paid to gender aspects and the needs of the vulnerable. The Client will document all transactions to acquire land rights, provision of compensation and other assistance associated with relocation activities.

37. In exceptional circumstances, and where supported by adequate justification, the Bank may consider the temporary relocation of project affected people to temporary intermediate premises of equal or better quality and use value for a limited period of time generally not exceeding one year. In such cases the Client will formally commit, guarantee and document all necessary arrangements for the transition to permanent relocation sites and replacement property.

38. If people living in the project area are required to move to another location, the Client will: (a) offer displaced persons choices among feasible resettlement options, including adequate replacement housing or cash compensation; and (b) provide relocation assistance suited to the needs of each group of displaced persons. New resettlement sites will offer living conditions at least equivalent to those previously enjoyed, or consistent with prevailing minimum codes or standards, whichever set of standards is higher. If new resettlement sites are to be prepared, host communities will be consulted regarding planning options, and resettlement plans will ensure continued access, at least at existing levels or standards, for host communities to facilities and services. For the preparation, construction, and occupation of a new resettlement site, an environmental and social assessment will be carried out in accordance with this ESN and ESN1. It will form the basis of consultation with the potential host communities. The Client will improve the living conditions of displaced people through the provision of adequate housing, access to services and utilities²⁹ and security of tenure. The displaced persons' preferences with respect to relocating in preexisting communities and groups will be respected wherever reasonable and possible. Existing social and cultural institutions of the displaced persons and any host communities will be respected.

39. In the case of physically displaced persons under paragraph 13 (a) or (b), the Client will offer the choice of replacement property of equal or higher value, with security of tenure, equivalent or better characteristics, and advantages of location, or cash compensation at full replacement cost. Compensation in kind should be considered in lieu of cash³⁰.

²⁹ Such as water and electrical supply, , schools, health care, shopping and governmental services.

³⁰ Payment of cash compensation for lost land and other assets may be appropriate where: (a) livelihoods are not land-based; (b) livelihoods are land-based but the land taken for the project is a small fraction of the affected asset and the residual land is economically viable; or (c) active markets for land, housing, and labour exist, displaced persons use such markets, there is sufficient supply of land and housing, and the Borrower / Client has demonstrated to the satisfaction of the Bank that insufficient replacement land is available.

40. In the case of physically displaced persons under paragraph 13 (c), the Client will provide arrangements to allow them to obtain adequate housing with security of tenure. Where these displaced persons own structures, the Client will compensate them for the loss of assets other than land, such as dwellings and other improvements to the land, at full replacement cost³¹. Based on consultation with such displaced persons, the Client will provide relocation assistance in lieu of compensation for land sufficient for them to restore their standards of living at an adequate alternative site³².

41. The Client is not required to compensate or assist those who encroach on the project area after the cut-off date for eligibility, provided the cut-off date has been clearly established and made public.

42. The Client will not resort to forced evictions of affected persons. “Forced eviction” is defined as the permanent or temporary removal against the will of individuals, families, and/or communities from the homes and/or land which they occupy without the provision of, and access to, appropriate forms of legal and other protection, including all applicable procedures and principles in this ESN. The exercise of eminent domain, compulsory acquisition or similar powers by a Client will not be considered to be forced eviction providing it complies with the requirements of national law and the provisions of this ESN, and is conducted in a manner consistent with basic principles of due process (including provision of adequate advance notice, meaningful opportunities to lodge grievances and appeals, and avoidance of the use of unnecessary, disproportionate or excessive force, and supported by relevant evidence and documentation of due process).

43. In some projects supporting the rationalization of urban space or enhanced agricultural productivity, and as an alternative to displacement, the Client may consider negotiating in situ land development arrangements in which those to be affected may elect to accept a partial loss of land or localized relocation in return for improvements that will increase the value of their property after development (often termed ‘land pooling’). Any person not wishing to participate will be allowed to opt instead for full compensation and other assistance as required in this ESN.

Economic Displacement

44. In the case of projects affecting livelihoods or income generation, the Client’s plan will include measures to allow affected persons to improve, or at least restore, their incomes or livelihoods. The plan will establish the entitlements of affected persons and/or communities, paying particular attention to gender aspects and the needs of vulnerable segments of communities, and will ensure that these are provided in a transparent, consistent, and equitable manner. The plan will incorporate arrangements to monitor the effectiveness of livelihood measures during implementation, as well as

³¹ Where the Client demonstrates that an affected person derives substantial income from multiple illegal rental units, the compensation and other assistance that would otherwise be available to such person for non-land assets and livelihood restoration under this paragraph may be reduced with the prior agreement of the Bank, to better reflect the objectives of this ESN.

³² Relocation of informal settlers in urban areas may involve trade-offs. For example, the relocated families may gain security of tenure, but they may lose locational advantages that may be essential to livelihoods, especially among the vulnerable. Changes in location that may affect livelihood opportunities should be addressed in accordance with the relevant provisions of this ESN.

evaluation once implementation is completed. The mitigation of economic displacement will be considered complete when the completion audit concludes that affected persons or communities have received all the assistance for which they are eligible and have been provided with adequate opportunity to reestablish their livelihoods.

45. Economically displaced persons who face loss of assets or access to assets will be compensated for such loss at full replacement³³ cost:

- In cases where land acquisition or restrictions on land use affect commercial enterprises³⁴, affected business owners will be compensated for the cost of identifying a viable alternative location; for lost net income during the period of transition; for the cost of the transfer and reinstallation of the plant, machinery, or other equipment; and for reestablishing commercial activities. Affected employees will receive assistance for temporary loss of wages and, if necessary, assistance in identifying alternative employment opportunities;
- In cases affecting persons with legal rights or claims to land that are recognized or recognizable under national law (see paragraph 13 (a) and (b)), replacement property (e.g., agricultural or commercial sites, constructions, etc.) of equal or greater value will be provided, or, where appropriate, cash compensation at replacement cost; and
- Economically displaced persons who are without legally recognizable claims to land (see paragraph 10(c)) will be compensated for lost assets other than land (such as crops, irrigation infrastructure and other improvements made to the land), at replacement cost. Additionally, the Client will provide assistance in lieu of land compensation sufficient to provide such persons with an opportunity to reestablish livelihoods elsewhere. The Client is not required to compensate or assist persons who encroach on the project area after the cut-off date for eligibility.

46. Economically displaced persons will be provided opportunities to improve, or at least restore, their means of income-earning capacity, production levels, and standards of living³⁵:

- For persons whose livelihoods are land-based, replacement land that has a combination of productive potential, locational advantages, and other factors at least equivalent to that being lost will be offered where feasible;
- For persons whose livelihoods are natural resource-based and where project-related restrictions on access envisaged in paragraph 5 apply, measures will be implemented to either allow continued access to affected resources or to provide access to alternative resources with equivalent livelihood-earning potential and accessibility. Where common property resources are affected, benefits and compensation associated with restrictions on natural resource usage may be collective in nature; and
- If it is demonstrated that replacement land or resources are unavailable, the Client will

³³ The Bank interprets 'Replacement Cost' and Full Resettlement Cost' as being the same.

³⁴ This includes shops, restaurants, services, manufacturing facilities and other enterprises, regardless of size and whether licensed or unlicensed.

³⁵ Livelihood losses due to impacts on income generation activities producing illicit goods and services may be restored by providing opportunities for the economically displaced persons, provided the transition is to alternative and legal livelihood activities

offer economically displaced persons options for alternative income earning opportunities, such as credit facilities, skills training, business start-up assistance, employment opportunities, or cash assistance additional to compensation for lost common property assets. Cash assistance alone, however, frequently fails to provide affected persons with the productive means or skills to restore livelihoods.

- Transitional support will be provided as necessary to all economically displaced persons, based on a reasonable estimate of the time required to restore their income-earning capacity, production levels, and standards of living.

C. Collaboration with Other Responsible Agencies or Subnational Jurisdictions

47. The Client will establish means of collaboration between the agency or entity responsible for project implementation and any other governmental agencies, subnational jurisdictions or entities that are responsible for any aspects of land acquisition, resettlement planning, or provision of necessary assistance. In addition, where the capacity of other responsible agencies is limited, the Borrower/Client will actively support resettlement planning, implementation, and monitoring. If the procedures or standards of other responsible agencies do not meet the relevant requirements of this ESNs, the Borrower/Client will prepare supplemental arrangements or provisions for inclusion in the resettlement plan to address identified shortcomings. The plan will also specify fiduciary responsibilities for each of the agencies involved, appropriate timing and sequencing for implementation steps, and coordination arrangements for addressing financial contingencies or responding to unforeseen circumstances.

D. Technical and Financial Assistance

48. The Client may request technical assistance from the Bank to strengthen Client capacity, or the capacity of other responsible agencies, for resettlement planning, implementation and monitoring. Such forms of assistance may include staff training, assistance in formulating new regulations or policies relating to land acquisition or other aspects of resettlement, financing for assessments or other investment costs associated with physical or economic displacement, or other purposes.

49. The Client may request the Bank to finance resettlement costs either as a component of the operation causing the resettlement, or as a free-standing resettlement project with appropriate cross-conditionality, processed and implemented in parallel with the operation that causes the displacement. The Client may also request the Bank to finance resettlement even though it is not financing the main investment that makes resettlement necessary. In this case, the Client will be required to submit to the Bank a resettlement plan in line with the requirements of this ESN (Annex 1).

ESN 5 ANNEX 1: INVOLUNTARY RESETTLEMENT INSTRUMENTS

50. This Annex describes the elements of the plans addressing physical and/or economic displacement described in paragraph 30 of ESN5. For purposes of this Annex, these plans shall be referred to as “resettlement plans”. Resettlement plans include measures to address physical and/or

economic displacement, depending on the nature of the impacts expected from a project. Projects may use alternative nomenclature, depending on the scope of the resettlement plan – for example, where a project involves only economic displacement, the resettlement plan may be called a “livelihood plan” or where restrictions on access to legally designated parks and protected areas are involved, the plan may take the form of a “Riparian Communities Involvement Plan.” This Annex also describes the general principles and procedures referred to in paragraphs 29-32 of ESN5.

Resettlement Plan

51. The scope of requirements and level of detail of the resettlement plan³⁶ vary with the magnitude and complexity of resettlement. The plan is based on up-to-date and reliable information about (a) the proposed project and its potential impacts on the displaced persons and other adversely affected groups, (b) appropriate and feasible mitigation measures, and (c) the legal and institutional arrangements required for effective implementation of resettlement measures.

52. Minimum Elements of a Resettlement Plan

- Executive Summary
- Description of the project: General description of the project and identification of the project area.
- Potential impacts. Identification of:
 - Project components or activities that give rise to displacement, explaining why the selected land must be acquired for use within the timeframe of the project.
 - Zone of impact of such components or activities.
 - Scope and scale of land acquisition and impacts on structures and other fixed assets.
 - Any project-imposed restrictions on use of, or access to, land or natural resources.
 - Alternatives considered to avoid or minimize displacement and why those were rejected; and
 - Mechanisms established to minimize displacement, to the extent possible, during project implementation.
- Objectives. The main objectives of the resettlement program.
- Census survey and baseline socio-economic studies³⁷. The findings of a household-level census identifying and enumerating affected persons, and, with the involvement of affected persons, surveying land, structures and other fixed assets to be affected by the project. The census survey also serves other essential functions:
 - Identifying gender-responsive socio-economic characteristics of displaced households, including a description of production systems, labour, and household organization; and baseline information on livelihoods (including, as relevant, production levels and income derived from both formal and informal economic activities) and standards of living (including health status) of the

³⁶ The Bank considers the terms ‘Resettlement Plan’ and Resettlement Action Plan’ to be essentially the same.

³⁷ Data collected in the context of E&S assessment and project implementation shall not be with the intention or used to cause undue harm or any sort of discrimination against people and especially the vulnerable. Further, Data collection and use must be in compliance with existing legislations and ethical practices, including respect of data privacy. Data will be disaggregated, as much as possible, based on sex, gender, vulnerability, etc.

displaced population.

- Information on vulnerable groups or persons for whom special provisions may have to be made.
- Identifying public or community infrastructure, property or services that may be affected.
- Providing a basis for the design of, and budgeting for, the resettlement program.
- In conjunction with establishment of a cut-off date, providing a basis for excluding ineligible people from compensation and resettlement assistance; and
- Establishing baseline conditions for monitoring and evaluation purposes.

53. As the Bank may deem relevant, additional studies on the following subjects may be required to supplement or inform the census survey:

- Land tenure and transfer systems, including an inventory of common property natural resources from which people derive their livelihoods and sustenance, non-title-based usufruct systems (including fishing, grazing, or use of forest areas) governed by local recognized land allocation mechanisms, and any issues raised by different tenure systems in the project area;
- The patterns of social interaction in the affected communities, including social networks and social support systems, and how they will be affected by the project; and
- Social and cultural characteristics of displaced communities, including a description of formal and informal institutions (e.g., community organizations, ritual groups, nongovernmental organizations (NGOs)) that may be relevant to the consultation strategy and to designing and implementing the resettlement activities.

54. Legal framework. The findings of an analysis of the legal framework, covering:

- The scope of the power of compulsory acquisition and imposition of land use restriction and the nature of compensation associated with it, in terms of both the valuation methodology and the timing of payment.
- The applicable legal and administrative procedures, including a description of the remedies available to displaced persons in the judicial process and the normal timeframe for such procedures, and any available grievance redress mechanisms that may be relevant to the project.
- Laws and regulations relating to the agencies responsible for implementing resettlement activities; and
- Gaps, if any, between local laws and practices covering compulsory acquisition, imposition of land use restrictions and provision of resettlement measures and ESN 5, and the mechanisms to bridge such gaps.

55. Institutional Framework. The findings of an analysis of the institutional framework covering:

- The identification of agencies responsible for resettlement activities and NGOs/CSOs that may have a role in project implementation, including providing support for displaced persons.
- An assessment of the institutional capacity of such agencies and NGOs/CSOs; and

- Any steps that are proposed to enhance the institutional capacity of agencies and NGOs/CSOs responsible for resettlement implementation.

56. Eligibility. Definition of displaced persons and criteria for determining their eligibility for compensation and other resettlement assistance, including relevant cut-off dates.

57. Valuation of and compensation for losses. The methodology to be used in valuing losses to determine their replacement cost; and a description of the proposed types and levels of compensation for land, natural resources and other assets under local law and such supplementary measures as are necessary to achieve replacement cost for them.

58. Community participation. Involvement of displaced persons (including host communities, where relevant):

- A description of the strategy for consultation with, and participation of, displaced persons in the design and implementation of the resettlement activities.
- A summary of the views expressed and how these views were considered in preparing the resettlement plan.
- A review of the resettlement alternatives presented, and the choices made by displaced persons regarding options available to them; and
- Institutionalized arrangements by which displaced people can communicate their concerns to project authorities throughout planning and implementation, and measures to ensure that such vulnerable groups as ethnic minorities, the landless and women, and HVRM like indigenous people, are adequately represented.

59. Implementation schedule. An implementation schedule providing anticipated dates for displacement and estimated initiation and completion dates for all resettlement plan activities. The schedule should indicate how the resettlement activities are linked to the implementation of the overall project.

60. Costs and budget. Tables showing categorized cost estimates for all resettlement activities, including allowances for inflation, population growth, and other contingencies; timetables for expenditures; sources of funds; and arrangements for timely flow of funds, and funding for resettlement, if any, in areas outside the jurisdiction of the implementing agencies.

61. Grievance (redress) mechanism. The plan describes affordable and accessible procedures for third-party settlement of disputes arising from displacement or resettlement; such grievance mechanisms should consider the availability of judicial recourse and community and traditional dispute settlement mechanisms.

62. Monitoring and evaluation. Arrangements for monitoring of displacement and resettlement activities by the implementing agency, supplemented by third-party monitors as considered appropriate by the Bank, to ensure complete and objective information; performance monitoring indicators to measure inputs, outputs, and outcomes for resettlement activities; involvement of the displaced

persons in the monitoring process; evaluation of results for a reasonable period after all resettlement activities have been completed; using the results of resettlement monitoring to guide subsequent implementation.

63. Arrangements for adaptive management. The plan should include provisions for adapting resettlement implementation in response to unanticipated changes in project conditions, or unanticipated obstacles to achieving satisfactory resettlement outcomes.

Additional Planning Requirements where Resettlement Involves Physical Displacement

64. When project circumstances require the physical relocation of residents (or businesses), resettlement plans require additional information and planning elements. Additional requirements include:

- Transitional assistance. The plan describes assistance to be provided for relocation of household members and their possessions (or business equipment and inventory). The plan describes any additional assistance to be provided for households choosing cash compensation and securing their own replacement housing, including construction of new housing. If planned relocation sites (for residences or businesses) are not ready for occupancy at the time of physical displacement, the plan establishes a transitional allowance sufficient to meet temporary rental expenses and other costs until occupancy is available.
- Site selection, site preparation, and relocation. When planned relocation sites are to be prepared, the resettlement plan describes the alternative relocation sites considered and explains sites selected, covering:
 - Institutional and technical arrangements for identifying and preparing relocation sites, whether rural or urban, for which a combination of productive potential, locational advantages, and other factors is better or at least comparable to the advantages of the old sites, with an estimate of the time needed to acquire and transfer land and ancillary resources.
 - Identification and consideration of opportunities to improve local living standards by supplemental investment (or through establishment of project benefit-sharing arrangements) in infrastructure, facilities or services.
 - Any measures necessary to prevent land speculation or influx of ineligible persons at the selected sites.
 - Procedures for physical relocation under the project, including timetables for site preparation and transfer; and
 - Legal arrangements for regularizing tenure and transferring titles to those resettled, including provision of security of tenure for those previously lacking full legal rights to land or structures.
- Housing, infrastructure, and social services. Plans to provide (or to finance local community provision of) housing, infrastructure (e.g., water supply, feeder roads), and social services (e.g., schools, health services); plans to maintain or provide a comparable level of services to host populations; any necessary site development, engineering, and architectural designs for these facilities.
- Environmental protection and management. A description of the boundaries of the planned

relocation sites; and an assessment of the environmental impacts of the proposed resettlement and measures to mitigate and manage these impacts (coordinated as appropriate with the environmental assessment of the main investment requiring the resettlement).

- Consultation on relocation arrangements. The plan describes methods of consultation with physically displaced persons on their preferences regarding relocation alternatives available to them, including, as relevant, choices related to forms of compensation and transitional assistance, to relocating as individual households families or with preexisting communities or kinship groups, to sustaining existing patterns of group organization, and for relocation of, or retaining access to, cultural property (e.g. places of worship, pilgrimage centers, cemeteries).
- Integration with host populations. Measures to mitigate the impact of planned relocation sites on any host communities, including:
 - Consultations with host communities and local governments.
 - Arrangements for prompt tendering of any payment due the hosts for land or other assets provided in support of planned relocation sites.
 - Arrangements for identifying and addressing any conflict that may arise between those resettled and host communities; and
 - Any measures necessary to augment services (e.g., education, water, health, and production services) in host communities to meet increased demands upon them, or to make them at least comparable to services available within planned relocation sites.

Additional Planning Requirements where Resettlement Involves Economic Displacement

65. If land acquisition or restrictions on use of, or access to, land or natural resources may cause significant economic displacement, arrangements to provide displaced persons with sufficient opportunity to improve, or at least restore, their livelihoods are also incorporated into the resettlement plan, or into a separate livelihoods improvement plan. These include:

- *Direct land replacement.* For those with agricultural livelihoods, the resettlement plan provides for an option to receive replacement land of equivalent productive value or demonstrates that sufficient land of equivalent value is unavailable. Where replacement land is available, the plan describes methods and timing for its allocation to displaced persons.
- *Loss of access to land or resources.* For those whose livelihood is affected by loss of land or resource use or access, including common property resources, the resettlement plan describes means to obtain substitutes or alternative resources, or otherwise provides support for alternative livelihoods.
- *Support for alternative livelihoods.* For all other categories of economically displaced persons, the resettlement plan describes feasible arrangements for obtaining employment or for establishing a business, including provision of relevant supplemental assistance including skills training, credit, licenses or permits, or specialized equipment. As warranted, livelihood planning provides special assistance to women, minorities or vulnerable groups who may be disadvantaged in securing alternative livelihoods.
- *Consideration of economic development opportunities.* The resettlement plan identifies and assesses any feasible opportunities to promote improved livelihoods because of resettlement processes. This may include, for example, preferential project employment arrangements, assessment and disaggregation of economic and livelihood restoration opportunities by sex, gender or vulnerability,

support for development of specialized products or markets, preferential commercial zoning and trading arrangements, or other measures. Where relevant, the plan should also assess the feasibility of prospects for financial distributions to communities, or directly to displaced persons, through establishment of project-based benefit-sharing arrangements.

- *Transitional support.* The resettlement plan provides transitional support to those whose livelihoods will be disrupted. This may include payment for lost crops and lost natural resources, payment of lost profits for businesses, or payment of lost wages for employees affected by business relocation. The plan provides that the transitional support continues for the duration of the transition period.

Indicative outline of the Riparian Communities Involvement Plan

- Executive summary
- Description of the project with focus on Components and activities that may involve new or more stringent restrictions on the use of natural resources of/or connected to the protected/gazetted area. When available, provide a summary of the Protected/Gazetted Area Management Plan (PAMP) including an assessment of the status of implementation and the concerned communities' participation.
- Socioeconomic profile of the riparian communities of the protected/gazetted area subject to the project support, including: assessment of their dependency (activities, beliefs, etc.) to the natural resources of the area, the traditional decision-making process, their relationship with the statal authorities (formal administration) in charge with the area, role of tutelary chiefs of the sacred practices linked to the resources present in the area, etc.
- Evaluation of the socioeconomic and cultural losses (revenues, opportunities, intangible negative impact, temporary or permanent job, etc.) due to the restriction of access to the protected/gazetted area because of the project's objectives and activities.
- Riparian Community participation:
 - How concerned community will be involved in the identification of adverse impacts and the establishment of eligibility criteria to benefit from the necessary mitigation measures or compensation?
 - The methods and procedures that communities will use to identify and select the mitigation and/or compensation measures, including the community development activities by the project, to be approved and supported by the project, as well as the procedures that members of concerned community will use to exercise choice among the options (alternatives, new opportunities such as Eco-guards and tourists guides, reconversion of jobs, participation in surveillance activities in collaboration with rangers, etc.) available to them.
 - The mechanism for resolving conflicts relating to restrictions imposed on the use of resources that may arise between and within the affected communities as well as grievances that may arise from members of communities dissatisfied with the eligibility criteria, collective planning measures or the execution of community works.
 - The arrangements put in place for participatory monitoring of project activities, these activities having a link with the consequences (beneficial or negative) suffered by the populations living in the project impact area, as well as for

monitoring the effectiveness of measures taken to improve (or at least rebuild) incomes and living standards.

- The summary of the consultations of the communities affected by the restriction of access to the protected area (the details of the consultations, including the agreements signed, the list of names of people for all the communities affected, etc. should be annexed to the report).
- Agreements to establish, with the relevant authorities of the territorial jurisdictions and the line ministries, for the communities' participation in the concerned protected/gazetted area's Management Plan.
- Roles and Responsibilities for the implementation of the RCIP.
- Comprehensive budget which must cover compensation of losses, community development/support activities, capacity building for reconversion of jobs in the event of non-replacement (e.g., reconversion of Traditional therapist due to loss of medicinal resources, reconversion of traditional hunters into eco-tourist guide,) etc.